

3763

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PTO/SB/21 (09-04)  
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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

10/072,509

Filing Date

02/05/2002

First Named Inventor

EPSTEIN

Art Unit

3763

Examiner Name

Thanh, LoAn H.

Attorney Docket Number

WMUS-5636 DIV4

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	See Remarks
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
	<input type="checkbox"/> CD, Number of CD(s) _____	
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<b>Remarks</b>	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Information Disclosure Statement Transmittal Letter (1 page in duplicate)	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Supplemental Information Disclosure Statement (1 page)	
	Form PTO/SB/08A (1 page)	
	Form PTO/SB/08B (3 pages)	
	Non-Patent References (17 Documents)	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	BAXTER INTERNATIONAL INC.		
Signature			
Printed name	Jeffrey C. Nichols		
Date	February 8, 2006	Reg. No.	36,879

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Elizabeth J. Eich	Date	02/08/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

APPLICANTS: EPSTEIN

GROUP ART UNIT: 3763

SERIAL NO.: 10/072,509

EXAMINER: Thanh, LoAn H.

FILING DATE: 02/05/2002

ATTY. DOCKET NO.: WMUS-5636 DIV4

For: METHOD OF APPLYING COMPOSITION TO A SURFACE

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Dear Sir/Madam:

Submitted herewith is an Information Disclosure Statement for consideration in the above-identified application. This Information Disclosure Statement is submitted:

- ☒ Within 3 months (1) of filing date of a national application; (2) of date of entry of the national stage as set forth in 37 CFR §1.491 in an international application; or (3) before the mailing date of a first Office Action on the merits, whichever occurs last. (No fee is required.)
- ☐ After the mailing date of a first Office Action but before (1) mailing of a final action under 37 CFR §1.311, whichever occurs first.
- ☐ Please charge payment for the fee set forth in 37 CFR §1.17(i)(1) to Deposit Account No. 02-1440.
- ☐ The certification specified in 37 CFR §1.97(e) is made below. (No fee is required.)
- ☐ After the mailing of (1) a final action under 37 CFR §1.113; or (2) a notice of allowance under 37 CFR §1.311 whichever occurs first, but before payment of the issue fee. The certification specified in 37 CFR §1.97(e) is made below. The Commissioner hereby is petitioned to consider the Information Disclosure Statement accompanying the submission.
- ☐ The undersigned counsel for applicant(s) hereby certifies that the item of information identified in the Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement while all others were already cited in previous Information Disclosure Statements and accompanying documents.
- ☐ The undersigned counsel for applicant(s) hereby certifies that some items of information contained in the Information Disclosure Statement were not cited in a communication from a foreign Patent Office in a counterpart foreign application, or to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of the statement.
- ☒ The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Account No. 02-1440. *A duplicate copy of this sheet is enclosed for this purpose.*

Very respectfully,

Baxter Healthcare Corporation

Jeffrey Nichols; Reg. No. 36,879  
Baxter International Inc.  
One Baxter Parkway  
Deerfield, Illinois 60015  
Telephone: (847) 948-3315

When phoning re this application,  
please call (847) 948-2000

I hereby certify that this correspondence (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450.

Date: 02/08/2006

  
Elizabeth J. Eich



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: EPSTEIN )  
Serial No.: 10/072,509 )  
Filed: 02/05/2002 ) Group Art Unit: 3763  
Title: METHOD OF APPLYING COMPOSITION ) Examiner: Thanh, LoAn H.  
TO A SURFACE )  
Attorney )  
Docket No.: WMUS-5636 DIV4 )

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

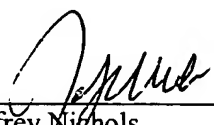
Pursuant to with 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to the references listed on the attached form, which may be material to the examination of this application. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicant stated in the Information Disclosure Statement mailed to the PTO on December 20, 2005, that copies of all remaining listed references (i.e., the non-patent literature documents listed on form PTO/SB/08B) were going to be sent to the Examiner; however, Applicant was unable to locate all of the listed documents, Applicant is providing a new form PTO/SB/08B listing those literature documents that are being provided in this Information Disclosure Statement.

Applicants believe there is no fee associated with this Request, however, the Commissioner is authorized to charge any fees or credit any overpayment, to deposit account 02-1440.

Respectfully submitted,

Date: February 8, 2006

  
\_\_\_\_\_  
Jeffrey Nichols  
Attorney for Applicants  
Registration No. 29,101/ 36,879  
Baxter International Inc.  
One Baxter Parkway  
Deerfield, Illinois 60015-4633  
Phone: (847) 948-2000



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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

**Complete if Known**

Application Number	10/072,509
Filing Date	2/5/2002
First Named Inventor	Epstein
Art Unit	3763
Examiner Name	LoAn H. Thanh
Attorney Docket Number	WMUS-5636 DIV 4

Sheet **1** of **4**

[illegible]

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	† <sup>6</sup>
		Country Code <sup>3</sup> "Number" <sup>4</sup> "Kind Code" <sup>5</sup> (if known)				

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/072,509
Filing Date	2/5/2002
First Named Inventor	Epstein
Art Unit	3763
Examiner Name	LoAn H. Thanh
Attorney Docket Number	WMUS-5636 DIV 4

Sheet

2

of

4

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Casillas et al., British J. Haematology (1982) 50:665-672	
		Epstein, G.H., et al., Anals. Otol. Rhinol. and Laryngol, (1986), Vol. 95, pp. 40-45	
		Feldman, M.C., et al., M. J. Otolog., (1988), Vol. 9, pp. 302-305	
		Feldman, M.C., et al., Arch. Otolaryngol. - Head and Neck Surgery (1988), Vol. 114, pp. 182-185	
		Harker, L.A., et al., New England J. Med., (1972), Vol. 287, pp. 999-1005	
		Kazal, L.A., et al., Proc. Sec. Exp. Biol. Med., (1963) pp. 989-994	
		Masri, M.A., et al., Thromb. Hemeostas., (1983), Vol. 49, pp. 116-119	

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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Attorney Docket Number	WMUS-5636 DIV 4

Sheet

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of

4

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Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		McCarthy, P.M., et al., Mayo Clinic Pros., (1987), Vol. 62, pp. 317-319	
		Moesson, M.W., et al., Biochemistry, (1966) Vol. 5, pp. 2829-2835	
		O'Connor, A.F., et al., Otolaryngol Head Neck Surg., (1982), Vol. 90, pp. 347-348	
		Redl, H., et al., Biomaterials, (1980), Winter, G.D. et al., eds. (1982), John Wiley & Sons, Ltd., pp. 669-675	
		Sataloff et al., Laryngoscope (1987) 97(9):111-112	

Examiner Signature		Date Considered	
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Attorney Docket Number	WMUS-5636 DIV 4

Sheet 4

of 4

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Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Siedentop, K.H., et al., Laryngoscope, (1985), Vol. 95, pp. 1074-1076	
		Silberstein, L.E., et al., Transfusion, (1988), Vol. 28, pp. 319-321	
		Staindl, O., Ann Otol, (1979), Vol. 88, pp. 413-418	
		Thorson, G.K., et al., J. Surg. Oncol., (1983), Vol. 24, pp. 221-223	
		Weisman, R.A., et al., Laryngoscope, (1987), Vol. 97, pp. 1186-1190	

Examiner Signature		Date Considered	
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